

# **Exhibit E**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE TESLA, INC. STOCKHOLDER  
LITIGATION

Civil Action No. 17-317-VAC-CJB  
Consolidated

WHEREAS by Order filed February 15, 2018 (the “Order”) this Court (1) appointed Arkansas Teacher Retirement System, Boston Retirement System, Oklahoma Firefighters Pension and Retirement System, Roofers Local 149 Pension Fund, KBC Asset Management NV, ERSTE-SPARINVEST Kapitalanlagegesellschaft m.b.H. and Stichting Blue Sky Active Large Cap Equity Fund USA as Co-Lead Plaintiffs in this action; and (2) appointed Grant & Eisenhofer P.A., Kessler Topaz Meltzer & Check, LLP and Robbins Geller Rudman & Dowd LLP as Co-Lead Counsel for Plaintiffs; and

WHEREAS there is currently pending in the Court of Chancery of the State of Delaware a case styled *In re Tesla Motors, Inc. Stockholder Litigation*, C.A. No. 12711-VCS, which presents issues and claims overlapping those in this action and in which a motion to dismiss has been fully briefed, argued and is *sub judice* (the “Chancery Court Case”);

**IT IS HEREBY STIPULATED AND AGREED** that this action shall be stayed for 60 days from the date hereof, subject to the following:

1. If the motion to dismiss in the Chancery Court Case is granted in its entirety during such 60-day period, the stay shall terminate five days after such grant.
2. If the motion to dismiss in the Chancery Court Case is denied in whole or in part during such 60-day period, the stay shall continue *sine die* subject to further agreement of the parties and order of the Court.

3. If the motion to dismiss in the Chancery Court Case remains undecided after the stay has been in place for 60 days, the parties shall discuss whether and on what terms it should be extended.

Dated: March 5, 2018

**ROSS ARONSTAM & MORITZ LLP**

By /s/ Garrett B. Moritz  
David E. Ross (#5228)  
Garrett B. Moritz (#5646)  
100 S. West Street, Suite 400  
Wilmington, DE 19801  
(302) 576-1600

**WACHTELL, LIPTON, ROSEN & KATZ**

William Savitt  
Steven P. Winter  
51 West 52nd Street  
New York, NY 10019  
(212) 403-1000

*Counsel for Defendants*

**GRANT & EISENHOFER P.A.**

By /s/ James J. Sabella  
James J. Sabella (#5124)  
Michael Manuel (#6055)  
Kelly L. Tucker (#6382)  
123 Justison Street  
Wilmington, DE 19801  
(302) 622-7000

**ROBBINS GELLER RUDMAN  
& DOWD LLP**

Randall J. Baron  
David T. Wissbroecker  
Maxwell R. Huffman  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
(619) 231-1058

**KESSLER TOPAZ MELTZER  
& CHECK, LLP**

Lee D. Rudy  
Eric L. Zagar  
Kristen L. Ross  
280 King of Prussia Road  
Radnor, PA 19087  
(610) 667-7706

*Co-Lead Counsel for Plaintiffs*

**SO ORDERED:**

---

U.S.M.J.